

PUBLIC HEARING of the Town Council held on Wednesday, February 8, 2006 at 7:00 P.M. in the Council Chamber, Town Building, Harrisville for and within the Town of Burrillville.

MEMBERS PRESENT: Council President Wallace F. Lees; Councilors Jacqueline Zahn, Councilors William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

MEMBERS ABSENT: None

Relative to amendment to the Ordinances of the Town of Burrillville Chapter 18 by adding Article III – Optional Twenty-year Retirement on Service Allowance.

NOTE: The above was duly advertised in the Legal Section of the Woonsocket Call on Wednesday, February 1, 2006.

1. Comments/Input/Recommendation by Administration (Town Solicitor, Town Manager).

Michael C. Wood, Town Manager, noted that the proposal had been negotiated into the collective bargaining agreement with the police department, after several years of discussion and consideration. Mr. Wood said that the Town Council had requested enabling legislation

to allow for this action. Mr. Wood said the effective date would be July 1, 2006.

Michael C. Wood, Town Manager, explained that this provision would change the retirement of a police officer at 20-years of service from fifty percent to sixty percent of their wages. The contributions of union members and the Town have been increased, he said. Mr. Wood described the provision of the ordinance. Mr. Wood indicated that the Town Council was obligated to pass the ordinance since it had been negotiated.

Walter J. Kane, Town Solicitor, explained that the proposed ordinance tracks the legislation and indicated that the ordinance was in proper form. Mr. Kane said that the ordinance would allow the Town to begin providing the additional pension benefit on the date negotiated with the collective bargaining unit. Mr. Kane pointed out that an actuary study had been conducted and the contributions are actuarially sound and will support the additional pension.

2. Comments/Input/Recommendation from the Ordinance Subcommittee.

Councilor William A. Andrews noted that the matter had come before the Town Council on several occasions over several years and that the provisions had been negotiated into the contract. Councilor Andrews indicated that the Council had been well informed on the

matter and said that the Ordinance Subcommittee recommended that the ordinance be accepted as written.

3. Proponents: None

4. Opponents: None

5. Town Council Members Comments/Input: None

6. VOTED to close the public hearing.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

VOTED to adopt amendments to the ordinances of the Town of Burrillville Chapter 18 by adding Article III – Optional Twenty-year Retirement on Service Allowance, as follows:

The Town Council of the Town of Burrillville hereby ordains as follows:

Chapter 18 of the Revised General Ordinances, Town of Burrillville 2004 is hereby amended by adding the following:

Article III - Optional twenty-year retirement on service allowance.

Section 18-30 Any member may retire pursuant to this section upon his or her written application to the board stating at what time he or she desires to retire; provided, that the member, at the specified time of his or her retirement, has completed at least twenty (20) years of total service.

Section 18-31 Upon retirement from service, pursuant to Section 18-30, a member receives a retirement allowance that is a life annuity terminable at the death of the annuitant, and is equal to three percent (3%) of final compensation multiplied by the years of total service, but not to exceed sixty percent (60%) of final compensation.

Section 18-32 Upon retirement from service where member has in excess of twenty (20) years of service, a member receives a retirement allowance that is a life annuity terminable at the death of the annuitant, and is an amount equal to the sum of three percent (3%) of final compensation multiplied by the first twenty (20) years of service and one and one-half percent (1.5%) of final compensation multiplied by the years of service in excess of twenty (20) years. The annual retirement allowance in no event shall exceed seventy-five (75%) of final compensation.

Section 18.33 Upon the adoption of a service retirement allowance,

pursuant to this section, each member shall contribute an amount equal to ten and two-tenths percent (10.2%) of the salary or compensation earned or accrued to the member.

Section 18-34 Notwithstanding anything to the contrary hereinabove, any member who retires with less than twenty (20) years of service shall be subject to R.I.G.L. Section 45-21.2-6 for purposes of determining any service retirement allowance.

Section 18-35 This section is exempt from the provisions of Chapter 13 of Title 45 of the Rhode Island General Laws.

Section 18-36 Except as specifically set forth hereinabove, all other provision of R.I.G.L. Chapter 45-21.2 shall be applicable to Burrillville police officers who make application to retire.

Section 18-37 This ordinance is adopted pursuant to the provisions of Chapter 226 of the Public Laws of Rhode Island 2004.

Section 18-38 This ordinance shall take effect upon passage.

Adopted this 8th day of February 2006

This ordinance shall take effect on passage.

Motion by Councilor William A. Andrews. Seconded by Councilor

William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

7. VOTED to adjourn at 7:05 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Margaret L. Dudley. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Nancy F. Binns, Margaret L. Dudley, Ronald E. Faford and William E. Gonyea.

The hearing was taped. The tape is on file with the record of the meeting.

Louise R. Phaneuf, Town Clerk